

- (2) SPECIAL RULE.—A least 12 of the 23 members appointed under paragraph (1)(C) shall be Indians.
- (3) TERMS.—The trustee appointed under paragraph (1)(B) shall serve at the pleasure of the Board of Regents. Except as otherwise provided in the next sentence, the terms of members appointed under paragraph (1)(C) shall be 3 years. Of the members first appointed under paragraph (1)(C)—
- (4) 7 members, 4 of whom shall be Indians, shall be appointed for a term of one year, as designated at the time of appointment: and
- (5) 8 members, 4 of whom shall be Indians, shall be appointed for a term of 2 years, as designated at the time of appointment.
- (4) VACANCIES.—Any vacancy shall be filled only for the remainder of the term involved.
- (a) QUORUM.—A majority of the members of the Board of Trustees then in office shall constitute a quorum.
- (h) EXPENSES.—Members of the Board shall be entitled (to the same extent as provided in section 5703 of title 5, United States Code, with respect to employees serving intermittently in the Government service) to per diem, travel, and transportation expenses for each day (including travel time) during which they are engaged in the performance of their duties.

SEC. 6. DIRECTOR AND STAFF OF THE NATIONAL MUSEUM.

20 USC 80q-4.

- (a) IN GENERAL.—The Secretary of the Smithsonian Institution shall appoint—
- (1) a Director who, subject to the policies of the Board of Trustees, shall manage the National Museum: and
- (2) other employees of the National Museum, to serve under the Director.
- (b) OFFER OF EMPLOYMENT TO HEYE FOUNDATION EMPLOYEES.—Each employee of the Heye Museum on the day before the date of the transfer of the Heye Foundation assets to the Smithsonian Institution shall be offered employment with the Smithsonian Institution—
- (6) under the usual terms of such employment; and
- (7) at a rate of pay not less than the rate applicable to the employee on the day before the date of the transfer.
- (c) APPLICABILITY OF CERTAIN CIVIL SERVICE LAWS.—The

Secretary

may—

(8) appoint the Director, 2 employees under subsection (a)(2), and the employees under subsection (b) without regard to the provisions of title 5, United States Code, governing appointments in the competitive service:

(9) fix the pay of the Director and such 2 employees without regard to the provisions of chapter 51 and subchapter III of chapter 53 of such title, relating to classification and General

Schedule pay rates: and

(3) fix the pay of the employees under subsection (b) in accordance with the provisions of chapter 51 and subchapter III of chapter 53 of such title, relating to classification and General

Schedule pay rates, subject to subsection (b)(2).

SEC. 7. MUSEUM FACILITIES.

20 USC 80q-5.

(a) NATIONAL MUSEUM MALL FACILITY.—The Board of Regents shall plan, design, and construct a facility on the area bounded by